

GENERAL

1 ZhuDan.rem

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FILED

DISTRICT COURT OF GUAM

JAN - 9 2007 ✓

MARY L.M. MORAN  
CLERK OF COURT

8 IN THE UNITED STATES DISTRICT COURT

9 FOR THE DISTRICT OF GUAM

10 UNITED STATES OF AMERICA, ) CRIMINAL CASE NO. 05-00048

11 Plaintiff, )

12 vs. ) PETITION TO REMIT SPECIAL

13 DAN ZHU, ) ASSESSMENT FEE

[18 U.S.C. § 3573]

14 Defendant. )

15  
16 COMES NOW the United States of America, by and through its undersigned counsel, and  
17 respectfully petitions this Court pursuant to 18 U.S.C. § 3573 for the entry of an order remitting  
18 the unpaid special assessment fee earlier imposed upon Defendant DAN ZHU and in support  
19 hereof, states as follows:

20 1. On July 7, 2006, sentence was imposed by this Court against Defendant  
21 DAN ZHU. Among other things, a \$100.00 special assessment fee was ordered. The total  
22 amount now owed by said Defendant is \$100.00.

23 2. Upon information received from the Immigration and Customs Enforcement  
24 Deportable Alien Control System (ICE/DACS), the defendant, DAN ZHU, was deported to  
25 China on August 31, 2006. See Exhibit "A."

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1       3. Section 3573 of Title 18, United States Code, as amended, provides in pertinent  
2 part as follows:

3              Upon petition by the Government showing that reasonable efforts to  
4 collect a fine or assessment are not likely to be effective, the court may, in the  
5 interest of justice --

6                  (1) remit all or part of the unpaid portion of the fine or special assessment,  
7 including interest and penalties . . . .

8       4. The United States Attorney has determined that in light of Defendant's  
9 deportation, there is no reasonable likelihood that expending further efforts to collect the special  
10 assessment fee will produce any revenue to the United States. To the contrary, any further efforts  
will needlessly expend resources that could be better directed to areas with greater potential for  
recovery.

11       5. The interests of justice mitigate in favor of remission of the unpaid special  
12 assessment fee.

13              WHEREFORE, the United States of America respectfully requests that this Court enter  
14 an order remitting the unpaid special assessment fee imposed upon Defendant.

15              DATED this 8th day of January, 2007.

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17              LEONARDO M. RAPADAS  
18              United States Attorney  
19              Districts of Guam and NMI

20              By:  
21

22                
23              \_\_\_\_\_  
24              MARIVIC P. DAVID  
25              Assistant U.S. Attorney  
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DAXL021

DACS CASE CLOSURE LOOK SCREEN

DATE: 01/02/2007

TIME: 21:16:27

A-NUM : 076598176  
NATLTY: CHINA

LAST-NAME : ZHU  
FIRST-NAME: DAN

DATE-DOCKET-CLEARED: 09/04/2006

DEPART-CLEARED-STAT: 9

TRANSFER-TO-DCO:

DATE-DOCKET-TRANSFER:

DATE-DEPARTED: 08/31/2006

PORT-DEPARTED: AGA

DEPART-COUNTRY: CHINA

FINAL-CHARGE: I6E

EXPENSE-CODE: 1

HIT PF4 TO RETURN TO CASE SELECT SCREEN OR ENTER FOR NEXT SCREEN

